

MISSOURI CITIZENS REVIEW PANEL

The Child Abuse Prevention and Treatment Act (CAPTA) was established to enable the federal government to provide leadership and assist states in their child and family protection efforts. CAPTA sets federal guidelines, which must be implemented and monitored, before a state is eligible to receive a federal CAPTA grant. In 1996, CAPTA was amended to require states to establish three "Citizen Review Panels." Fortunately, Missouri utilized three existing review panels to meet the federal mandate. The three Citizen Review Panels, which have agreed to expand their role to meet the CAPTA mandate, include:

- 1.) The Task Force on Children's Justice (CJA);
- 2.) State Child Fatality Review Panel; and
- 3.) Child Abuse/Neglect Review Board (CANRB)

Missouri is continuing efforts to advance our Citizen Review Panels. Newly revised By Laws have been instituted by the Task Force on Children's Justice, and strategic planning has begun for clarifying the role of the Task Force as a Citizen Review Panel. Missouri has successfully divided the previously larger State Child Fatality Review Panel into numerous local Child Fatality Review Panels for a narrower focus, with each Region or locality responsible for reviewing and making recommendations based on its own unique needs. An administrative rule for the CANRB is now in place, and a plan to expand the number of CA/N Review Boards is being considered. The role of the CANRB member of the Citizens' Review Panel for providing feedback on improving CA/N investigations based on their independent administrative review of CA/N determinations of probable cause or preponderance of evidence, including the primary reasons for CANRB reversals has been suggested. These measures have improved compliance with CAPTA mandates and will ultimately impact positive outcomes for children by means of active participation on these panels to develop recommendations for CD policy/practice improvements.

Membership

Each panel shall be comprised of volunteers who are broadly representative of the community, including members who have expertise in the prevention and treatment of child abuse/neglect.

Functions

Each panel shall meet at a minimum quarterly to examine the policies and procedures of the State and local agencies and where appropriate, specific cases, to evaluate the agency's effectiveness in child protection. In general, examination considers:

- the state plan;
- child protection standards;
- review of the child protective services system in coordination with the foster care and adoption programs; and
- review of child fatalities or near fatalities.

ADDITIONAL INFORMATION

TASK FORCE ON CHILDREN'S JUSTICE

The Task Force was established by the Children's Division with the mission to benefit and enhance children's lives by recommending improvement of child abuse and neglect laws, policies, programs, professional education and public awareness, and to provide funding to support these recommendations. With the purpose of utilizing the Task Force to the fullest extent possible, the group was reorganized with newly appointed members in December, 2004. Between December, 2004 and August, 2005, the Task Force became knowledgeable of the child protection system, and recently completed an intensive strategic planning process to develop a strategic direction and identify priorities for the Task Force. Additionally, four action teams formed out of the strategic planning process. The action teams are now actively working to achieve change in four strategic areas, including: Adequate, stable and flexible funding; Improved and expanded services; Staff development and positive work environment; and Positive public image and public support.

Additionally, the Office of the Child Advocate independently reviews individual cases involved with the Children's Division, stemming from complaints filed by clients as well as private or public entities. Persons filing complaints may remain anonymous as well. The Child Advocate then makes recommendations to the Children's Division out of the independent reviews. Recognizing common interests, the Child Advocate actively participated in the Strategic Planning Process with the Task Force, and many of the recommendations that are included in the Child Advocate's annual report were incorporated into the Strategic Action Agenda. Information regarding the Office of the Child Advocate can be found at: <http://www.oca.mo.gov/index.shtml>; and the annual report may be located at: http://www.oca.mo.gov/pdf/Annual_Report.pdf.

The Division actively provides support to the Task Force, through coordinating and facilitating meetings, and providing clerical assistance.

The Task Force was reorganized with newly appointed members in December, 2004. No recommendations have been provided by the Task Force, however it is anticipated that by December 2005, the Task Force will provide such recommendations to our Division.

CHILD FATALITY REVIEW PROGRAM STATE PANEL (CFRP)

As required pursuant to RSMo 210.195, a state child fatality review panel was formed, meeting at a minimum bi-annually to provide oversight and make recommendations to the department of social services, state technical assistance team. In this oversight role, the panel is encouraged to identify systemic problems and bring concerns to the attention of the State Technical Assistance Team. Additionally, local Child Fatality Review Teams meet routinely, to review individual cases as deemed necessary. The composition of the Child Fatality Review Program State Panel mirrors that of the county panels: each multidisciplinary profession is represented by a recognized leader in the respective discipline. Information about this process can be located at: <http://www.dss.mo.gov/stat/sp.htm>.

Statistics are gathered, and a trends analysis is completed by the State Technical Assistance Team, regarding the fatalities and information provided by the State and Local Child Fatality Review Panels. The annual reports can be found at: <http://www.dss.mo.gov/re/cfrar.htm>.

The annual reports can be found at: <http://www.dss.mo.gov/re/cfrar.htm>; however, no recommendations were provided. The Division will continue to work with the State CFRP and the State Technical Assistance Team (STAT) in anticipation of responding to any recommendations to improve our child welfare practice.

CHILD ABUSE/NEGLECT REVIEW BOARD (CANRB)

RSMo 210.153 required the development of the Child Abuse and Neglect Review Board. This review board provides an independent review of child abuse and neglect determinations in instances in which the alleged perpetrator is aggrieved by the decision of the children's division. The board consists of nine members, who shall be appointed by the governor with the advice and consent of the senate, and includes members from varying disciplines.

The following persons participate in a child abuse and neglect review board review: Appropriate children's division staff and legal counsel for the department; The alleged perpetrator, who may be represented pro se or be represented by legal counsel. The alleged perpetrator's presence is not required for the review to be conducted. The alleged perpetrator may submit a written statement for the board's consideration in lieu of personal appearance; and witnesses providing information on behalf of the child, the alleged perpetrator or the department. Witnesses shall only be allowed to attend that portion of the review in which they are presenting information; and the victim(s) and his/her representative or witness.

There is an informal process that routinely occurs with the Child Abuse/Neglect Review Board in making recommendations on an on-going basis as issues arise to the Children's Division based on their findings. No annual report is available at this time. Recommendations that were provided for 2004-2005 included: The need for better documentation, including interviewing collaterals, gathering information on the child's behavioral history, and paying attention to time lines in child custody disputes (looking at when allegations were made vs. when modifications were filed etc).

The agency has already responded through revised policies as indicated in the following memorandums to staff as indicated below:

<http://www.dss.mo.gov/cd/info/memos/2005/35/cd0535.pdf> (includes initial timeframes, documentation, gathering information on history)

<http://www.dss.mo.gov/cd/info/memos/2005/51/cd0551.pdf> (includes documentation, gathering information on history)

Also, policy revisions are currently being drafted related to Safety Planning as it pertains to child custody issues.